

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

Jane Doe,

Plaintiff,

No. 3:22-cv-01056-MO

v.

ORDER OF DISMISSAL

Louisiana Department of Justice et al.,

Defendants.

MOSMAN, J.,

On July 20, 2022, Plaintiff Jane Doe filed this action. *See* Compl. [ECF 1]. No filing fee was paid. She now moves to extend the time to pay her filing fee. Mot. for Extension of Time [ECF 5]. Upon review of Plaintiff's Motion and Complaint, I GRANT Plaintiff to proceed *in forma pauperis* ("IFP"), DENY AS MOOT Plaintiff's Motion for Extension of Time [ECF 5], and DISMISS this case with prejudice and without leave to amend.

DISCUSSION

In her Motion for Extension of Time [ECF 5], Plaintiff represents that she is unable to afford the costs of litigation for various reasons and therefore asks for an extension of time to pay the required filing fee. Mot. for Extension of Time [ECF 5] at 2. Given that pro se filings must be construed liberally, the Court views this filing as an application to proceed IFP. *See Draper v. Rosario*, 836 F.3d 1072, 1080 (9th Cir. 2016). The Court therefore GRANTS Plaintiff's application to proceed IFP and DENIES AS MOOT Plaintiff's Motion for Extension of Time.

In reviewing Plaintiff's Complaint [ECF 1], Plaintiff has made allegations of a giant web of wrongdoing and collusion among various "scumbags-criminals"—city, state, and federal agencies and officials as well as private sector individuals and businesses—who allegedly attacked Plaintiff with chemical weapons and stole Plaintiff's internal organs. Compl. [ECF 1] at 3. While a court may not dismiss a complaint simply because it finds the allegations to be unlikely, *Denton v. Hernandez*, 504 U.S. 25, 33 (1992), it may do so upon a finding that the claim is frivolous. *Id.* at 32–33. A claim is frivolous "only if the facts alleged are 'clearly baseless.'" *Id.* at 32 (quoting *Neitzke v. Williams*, 490 U.S. 319, 327 (1989)). The Court finds Plaintiff's allegations to be without any basis in law or fact and therefore frivolous. I further find it absolutely clear that no amendment can cure the deficiencies of Ms. Doe's case. Accordingly, I DISMISS this case with prejudice and without leave to amend. See 28 U.S.C. § 1915(e)(2)(B)(i); *Lopez v. Smith*, 203 F.3d 1122, 1129 & n.10 (9th Cir. 2000).

IT IS SO ORDERED.

DATED this 1st day of September, 2022.


MICHAEL W. MOSMAN
Senior United States District Judge